

THE HONOURABLE SRI JUSTICE V. ESWARAI AH

WRIT PETITION No.13578 OF 2006

DATED: 09-02-2007

BETWEEN

M/s. Ammoda Developers and Promoters
(P) Limited, having its registered office at
8-2-318/17/A/1&2, Zaharanagar Colony,
Road No.10, Banjara Hills, Hyderabad,
Rep. by its MD, Mr. Mallaiah Yadaiah.

...PETITIONER

AND

The Commissioner of Police,
Cyberabad, Ranga Reddy District
at Hyderabad and another.

...RESPONDENTS

ORDER:

The grievance of the petitioner is that the second
respondent is illegally interfering with his rights and making an
attempt to dispossess him from the subject matter of the property
in question in the writ petition situated at Tattiannaram Village,
Hayathnagar Mandal, Ranga Reddy District.

2. Counter has been filed stating that on a complaint lodged by
the petitioner on 27.06.2006 a case has been registered in
Cr.No.324 of 2006 for the offence under Sections 147, 447, 427,
506 read with 149 of the Indian Penal Code, 1860 and the
investigation is pending.

It is further stated that with regard to the land in question there
are six other cases pending on the file of other police stations in
Cr.Nos.24, 196, 325, 348, 349 and 351 of 2006 and in some of the
cases the petitioner was shown as accused. It is stated that as
and when written representations have been filed alleging

commission of cognizable offence the respondent has taken necessary action but the second respondent never interfered with the lawful rights of the petitioner as alleged aforesaid.

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3. In view of the categorical denial of the allegations of the petitioner, I am of the opinion that the disputed questions of fact cannot be gone into in a writ petition. However, it is always open to the petitioner to take appropriate action under the relevant provisions of the Criminal Procedure Code, 1973.

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The writ petition is accordingly dismissed. There shall be no order as to costs.

V. ESWARAIAH, J

February 9, 2007
DSK